

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
V.	§	NO. 20-CR-175 (LY)
	§	
JOSHUA COLIN HONIGBERG	§	

UNOPPOSED MOTION TO CONTINUE ALL DEADLINES

TO THE HONORABLE UNITED STATES DISTRICT JUDGE LEE YEAKEL:

NOW COMES Defendant Joshua Colin Honigberg, through undersigned counsel, and files this unopposed motion to continue all deadlines, including the motions hearing, docket call, and trial deadlines, showing the Court as follows:

Mr. Honigberg is charged in a one count indictment with unlawful possession of a destructive device, in violation of 26 U.S.C. §§ 5841, 5861(d), and 5871. Docket call is currently set for August 21, 2020. Trial is set for September 14, 2020. This continuance is sought in the interest of justice and not for the purpose of delay.

Discovery in the federal case is just beginning, and undersigned counsel received discovery from the government this week. Counsel understands additional discovery may be forthcoming following forensic testing to be conducted on the alleged destructive device. Counsel needs time to review discovery and to meet with Mr. Honigberg to discuss it. Additionally, counsel will need time to investigate possible legal defenses, to meet with Mr. Honigberg and discuss possible resolution of the case or, alternatively, to prepare for trial.

Undersigned counsel has conferred with the Government and the Government is not opposed to the request for a continuance.

WHEREFORE, premises considered, Defendant requests that this Court continue all

deadlines for ninety (90) days or to a date and time convenient for the Court.

Respectfully submitted.

MAUREEN SCOTT FRANCO
Federal Public Defender

/s/ CHARLOTTE A. HERRING
Assistant Federal Public Defender
Western District of Texas
Lavaca Plaza
504 Lavaca St., Ste. 960
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(512) 916-5025
(512) 916-5035 (FAX)
TX Bar Number: 24064026
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of July 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Grant Sparks
Assistant U.S. Attorney
903 San Jacinto, Ste. 334
Austin, TX 78701

/s/ CHARLOTTE A. HERRING

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ORDER

On this date came on to be considered Defendant's Unopposed Motion to Continue. The Court finds that for the reasons stated in the Defendant's motion, the ends of justice served by the continuance outweigh the best interest of the public and the Defendant in a speedy trial.

IT IS THEREFORE ORDERED THAT the all pretrial motions are to be filed on or before the _____ day of _____, 2020.

IT IS FURTHER ORDERED THAT the Hearing on all Pending Pretrial Motions and Docket Call is reset to the ____ day of _____, 2020 at _____ a.m.

IT IS FURTHER ORDERED that Jury Selection and Trial is reset to the ____ day of _____, 2020, at _____ a.m.

SIGNED this _____ day of _____, 2020

LEE YEAKEL
UNITED STATES DISTRICT JUDGE